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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/054,487	01/22/2002	Brian Lauman	112713-147	5579	
29200	7590 06/16/2004		EXAMINER		
BAXTER H	IEALTHCARE CORPO	FRANK, RODNEY T			
RENAL DIV	ISION				
1 BAXTER PARKWAY			ART UNIT	PAPER NUMBER	
DF3-3E			2856		
DEERFIELD, IL 60015			DATE MAILED: 06/16/2004		

Please find below and/or attached an Office communication concerning this application or proceeding.

herefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a inal rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in ondition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued examination (RCE) in compliance with 37 CFR 1.114. PERIOD FOR REPLY [check either a) or b)] The period for reply expires 2 months from the mailing date of the final rejection. PERIOD FOR REPLY [check either a) or b)] The period for reply expires 2 months from the mailing date of the Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire a terr than SIX MONTHS from the mailing date of the Advisory Action, or (2) the date set forth in the final rejection, only Check This BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRST LIBED AND THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRST LIBED AND THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRST LIBED AND THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRST LIBED AND THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRST LIBED AND THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRST REPLY WAS		Application No.	Applicant(s)					
Examin r Rodery T. Frank 2856 The MAILING DATE of this communication appears on the cover sh et with th correspondence addr ss THE REPLY FILED 28 April 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a condition for allowance; (2) a timely filed Notice of Appeal (with appeal feet; or (3) a timely filed Notice of Appeal (with appeal feet; or (3) a timely filed Request for Continued examination (RCE) in compliance with 37 CFR 1.114. Appeal (with appeal feet; or (3) a timely filed Request for Continued examination (RCE) in compliance with 37 CFR 1.114. Appeal (with appeal feet; or (3) a timely filed Request for Continued examination (RCE) in compliance with 37 CFR 1.1314. Appeal (with appeal feet; or (2) the date est forth in the final rejection, whichever is later. In no event, however, will the satisfutory period for reply expires a 2 months from the mailing date of this Advisory Action, or (2) the date est forth in the final rejection, whichever is later. In no event, however, will the satisfutory period for reply expire later than SUK MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.070; Appeal	Advisory Action	10/054,487	LAUMAN ET AL.					
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Continuation of 10. Other: The examiner does not feel that using the word "positioned" would deem the claims allowable since positioned does not necessarily mean that the plates are not moved. In the Rogers reference, the plates are "positioned" at opposite ends of a bellows and they can't move from the respective ends of the bellows, so they are positioned in a fixed relationship with respect to each other, which would still render the claim rejected. The examiner notes the applicant's arguments about the plates not moving relative to one another. However, the fact that the applicant desires the plates not to move is not expressed in the claim language.